

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

United States of America
ex rel. Alex Doe, Relator,

The State of Texas
ex rel. Alex Doe, Relator,

The State of Louisiana
ex rel. Alex Doe, Realtor

Plaintiffs,

v.

Planned Parenthood Federation of America,
Inc.,

Planned Parenthood Gulf Coast, Inc.,
Planned Parenthood of Greater Texas, Inc.,
Planned Parenthood of South Texas, Inc.,
Planned Parenthood of Cameron County, Inc.,
Planned Parenthood San Antonio, Inc.,

Defendants.

No. 2:21-cv-00022-Z

**MOTION OF THE REPORTERS COMMITTEE FOR FREEDOM OF THE PRESS FOR
LEAVE TO INTERVENE AND TO UNSEAL SUMMARY JUDGMENT ORDER**

COMES NOW Movant The Reporters Committee for Freedom of the Press (“Reporters Committee” or “Movant”) and moves for leave to intervene for the purpose of contesting the sealing of the Court’s Summary Judgment Order and the removal of the corresponding docket entry from the public docket and would respectfully show the Court as follows:

1. The Reporters Committee is a non-profit organization whose mission is to protect First Amendment freedoms and the newsgathering rights of journalists.
2. The Reporters Committee actively litigates First Amendment issues, including access to court records, in the Fifth Circuit and across the country.

3. The Reporters Committee meets the requirements for permissive intervention under Federal Rule of Civil Procedure 24(b). Intervention is timely; challenging the sealing of court records is a claim; and this motion will not unduly delay the case or prejudice any party's rights. Moreover, where issues of public access to judicial records are in play, the Reporters Committee, as a representative of the press, acts as a surrogate for the public and should have the right to intervene under Federal Rule of Civil Procedure 24(a). The Reporters Committee has a cognizable interest in transparency relating to the actions that are the subject of this case.

4. Despite the fact that most of the summary judgment briefing and the entire summary judgment hearing transcript are public, the Court *sua sponte* sealed its Summary Judgment Order without notice to the parties or the public, and based on grounds and proof that are inadequate to overcome the presumption of openness.

5. The Reporters Committee submits that the Summary Judgment Order should be unsealed under well-established Fifth Circuit and other precedent to effectuate the common law and First Amendment rights of the Reporters Committee and the public to access judicial records. The Summary Judgment Order should also be noted on the public docket.

For the reasons stated here and in its supporting brief, the Reporters Committee prays that the Court grant its Motion for Leave to Intervene, unseal the Summary Judgment Order, and note the Summary Judgment Order on the public docket. The Reporters Committee also prays for such other and further relief to which it is justly entitled.

Dated: May 8, 2024

Respectfully submitted,

/s/ Thomas S. Leatherbury

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**Attorneys for Movant-Intervenor
The Reporters Committee for
Freedom of The Press**

CERTIFICATE OF CONFERENCE

I certify that beginning on April 24, 2024, I conferred by email with the following counsel of record: Ken Coffin, Tirzah Lollar, Leah Godesky, Heather Hacker, and Amy Hilton. Mr. Coffin, Ms. Godesky, and Ms. Lollar indicated no opposition. Ms. Hacker and Ms. Hilton took no position.

/s/ Thomas S. Leatherbury
Thomas S. Leatherbury

CERTIFICATE OF SERVICE

I hereby certify that, on May 8, 2024, a true and correct copy of this document properly was served on all counsel of record via electronic filing in accordance with the USDC, Northern District of Texas Procedures for Electronic Filing.

/s/ Thomas S. Leatherbury
Thomas S. Leatherbury